

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Civil Action No. 5:01-CV-349-H(2)**

TROXLER ELECTRONIC	)	
LABORATORIES, INC.	)	
	)	
Plaintiff,	)	<b>U.S. District Judge Malcolm J. Howard</b>
	)	<b>Magistrate Judge William A. Webb</b>
v.	)	
	)	
	)	
PINE INSTRUMENT COMPANY	)	
	)	
Defendant.	)	

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff TROXLER ELECTRONIC LABORATORIES, INC., and Defendant PINE INSTRUMENT COMPANY, through the undersigned counsel, hereby stipulate that:

1. All claims asserted by Troxler Electronic Laboratories, Inc. against Pine Instrument Company, and all counterclaims asserted by Pine Instrument Company against Troxler Electronic Laboratories are dismissed with prejudice; and
2. Each of the parties shall bear its own costs, expenses and attorney's fees associated with the prosecution, defense, and settlement of this action.

Respectfully submitted, this 14<sup>th</sup> day of January, 2010.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is an attorney at law licensed to practice in the State of North Carolina and is a person of such age and discretion as to be competent to serve process. That on January 14, 2010, he filed a copy of the attached **JOINT STIPULATION OF DISMISSAL WITH PREJUDICE** with the Clerk of Court via the CM/ECF System. Pursuant to Local Rule 5.2, EDNC, this filing constitutes proper service to the following:

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